

**FARMINGTON CITY PLANNING COMMISSION
JULY 18, 2019**

STUDY SESSION

PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Roger Child, Russ Workman, Rulon Homer, Shawn Beus; Community Development Director David Petersen, Associate Planner Meagan Booth

Excused: Commissioner Rulon Homer and Alternative Commissioner, Mike Plazier

SUBDIVISION

3. Todd Strong (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Farmington Foothills Subdivision consisting of 7 lots on 3.82 acres of property located at approximately 1500 S 200 E in the LR (Large Residential) zone. (S-4-19).

The intention of the public hearing for this item is to get public opinion on the proposed road layout. This subdivision is in the foothill zone, which presents some steep topography that the DRC (Development Review Committee) has reviewed.

4. Andrew Hiller (Public Hearing) – Applicant is requesting a recommendation to rezone 5.18 acres of property from an A (Agriculture) to LR-F (Large Residential) zone, located at approximately 90 West 675 North. Additionally, the applicant is also requesting schematic subdivision plan and preliminary PUD master plan approval to develop 11 lots on the property. (Z-6-19 and S-6-19)

The proposed subdivision matches the character of the surrounding area. A PUD (Planned Unit Development) has been requested in order to preserve redwood trees and natural landscaping. A private street with no sidewalk has been proposed to effectively save many of the existing mature trees within the development.

5. Jerry Preston\Elite Craft Homes – Applicant is requesting Final Plat approval for the Creekside Manor Subdivision consisting of 8 lots on approximately 5.78 acres of property located at about 950 West 500 South in the AE (Agriculture Estates) zone. (S-23-18)

No comments were made.

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No comments were made.

REGULAR SESSION

PRESENT: Planning Commissioners Connie Deianni, Greg Wall, Amy Shumway, Roger Child, Russ Workman, Rulon Homer, Shawn Beus; Community Development Director David Petersen, Associate Planner Meagan Booth

Excused: Commissioner Rulon Homer and Alternative Commissioner, Mike Plazier

Connie Deianni opened the meeting at 7:10 P.M.

Minutes:

Roger Child motioned to approve the minutes from the June 20th 2019 Planning Commission meeting, implementing the addition of excusing Commissioner Shawn Beus from the work and regular sessions. **Russ Workman** seconded the motion, which was approved unanimously.

City Council Report:

David Petersen reviewed the previous City Council meeting, where the Kambouris rezone was approved, giving the City until January 19, 2020 to come up with a moderate income housing option for the location.

The Flatrock Subdivision Schematic Plan was reviewed by the City Council. They have discussed this item several times due to issues pertaining to the proposed private park location, TDR's (Transfers of Development Rights), and power lines. A preliminary plat is to be brought to the Planning Commission soon with the requirements of the City Council met.

The City Council discussed the matter of the City purchasing the pink home in front of the Hampton Inn on Park Lane and their plans for the development of that area.

The conditional use for the medical expansion at the County jail was discussed by the City Council. It is a conditional use, so it will be brought to the Planning Commission within the next few meetings for discussion.

SUBDIVISION

3. Todd Strong (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Farmington Foothills Subdivision consisting of 7 lots on 3.82 acres of property located at approximately 1500 S 200 E in the LR (Large Residential) zone. (S-4-19).

Meagan Booth presented the item. Staff recommends that the Planning Commission forward a positive recommendation to the City Council for approval.

Applicant **Todd Strong** 421 W 3950 S Pleasant View, Utah 84414 presented. He stated that to his knowledge, this application meets all codes but currently needs approval for the steep grade at some points of the road within the subdivision. The subdivision has been decreased from 7 to 6 lots in order to preserve the existing ravine.

Greg Wall asked what the average lot size is. **Todd Strong** said the smallest lots are at least 14,000 square feet, but some are over ½ acre. The topography naturally created varying lot sizes in order to provide logical building space on each lot.

The Planning Commission discussed the hammerhead fire access as shown on the plans, which the applicant believes meets code. They also discussed the lack of trails proposed within this development, which are not required as this is a standard subdivision, not a PUD (Planned Unit Development). There are nearby trails but none that need connections through the subdivision.

Utility connections were discussed by the Planning Commission with concern expressed for accessing utilities up such a steep grade. The applicant stated that they, as well as City staff have addressed these concerns and utilities will be available to all lots within the proposed subdivision.

Public Hearing:

Connie Deianni opened the public hearing at 7:20 PM.

Phil Hunter, 1605 S. 200 E. Farmington, UT – Stated that he owns the property to the South of the development. He expressed excitement for the development because he has interest in building a residence on his adjacent property and would like to discuss options about joining in on the utilities and roads in the new development.

Doug Allen 951 S. Creekside, Farmington, UT - stated that he owns property near the proposed development. He expressed concern for apparent inconsistencies with water line access. The proposed road and the existing water line appear to be off about 120 feet. He also expressed that the water line was originally intended to be connected to 200 East, creating a system loop, which is not shown on this proposal.

Connie Deianni closed the public hearing at 7:35 PM.

David Petersen addressed the comments and letter received by resident Doug Allen regarding the water system. In approximately 2001, as Tuscany Cove Subdivision was being developed, a plan for the water tanks and correlating water line was designed. He showed the intended plan from the early 2000's using the plan map, which took quite a bit of work due to the steep grades in the area. At the time, a public hearing was conducted in Planning Commission.

David Petersen and the Planning Commission discussed the possible private street access, connecting the proposed subdivision to the existing adjacent property now owned by the Hunter family. A private street is an option when it does not conflict with the master plan for an area, and gets approval from the Planning Commission and City Council. In this case it may benefit both the developer and the Hunter family to incorporate the private street access with a fire turnaround where their parcels meet.

Connie Deianni invited Todd Strong to the podium and stated the Staff and Planning Commission's intent to table the item until he and the adjacent property owners discuss this private road access, including who would assume the cost. **Todd Strong** agreed and stated that the parties would discuss immediately.

Motion:

Commissioner **Shawn Beus** motioned that the Planning Commission table the item to provide all parties of interest time to clarify details of the hammerhead street access and cost. **Greg Wall** seconded the motion, which was unanimously approved. The item was tabled to a time uncertain.

4. Andrew Hiller (Public Hearing) – Applicant is requesting a recommendation to rezone 5.18 acres of property from an A (Agriculture) to LR-F (Large Residential) zone, located at approximately 90 West 675 North. Additionally, the applicant is also requesting schematic subdivision plan and preliminary PUD master plan approval to develop 11 lots on the property. (Z-6-19 and S-6-19)

Meagan Booth presented the item. Staff recommends that the Planning Commission forward a positive recommendation to City Council for this application.

Andrew Hiller 1268 Adrienne Court, Farmington, UT stated that this property is special to him as a long time Farmington resident so he wanted to be involved when it developed. He desires to preserve some of the trees and stream on the property, creating bridges. He said he had tried unsuccessfully to contact all adjacent property owners, but has contacted and discussed this item with some of them.

Amy Shumway said that the application stated that the existing historic home on the property will be preserved and used as a clubhouse for the community. Since there is a tree growing out if it, she asked for clarification. **Andrew Hiller** stated that the house will be modified and fixed, but will remain on the property in some form if at all possible.

Amy Shumway stated that this PUD includes a private road, a possible clubhouse that needs work, and a lot of trees that need annual maintenance. These existing conditions would make an HOA fairly costly for residents. **Andrew Hiller** agreed and stated that potential buyers will be made aware of this but due to the great location and amenities, he believes it will be worth it.

Public Hearing:

Connie Deianni opened the public hearing at 8:40 PM

Karen Davis, 180 W. 600 N., Farmington, UT stated that there are wetland delineations in this area and she hasn't seen them addressed pertaining to this subdivision at all. Her house is not able to have a basement because when they were building, the foundation hole filled with water. She expressed concern about the existing aqueduct that has been a hazard multiple times as it sinks.

Tom Owens, 700 Rockmill Lane, stated that he is directly impacted by this development because he owns 2 acres nearby. He gave the city permission to build the road to the pond 20 years ago as an entrance to pond. This was part of a negotiation and recorded agreement. He has concerns about the Bradshaw property including Water Rights, the bridge, traffic, curb and gutter, etc. 20 years ago, the City Council assured him that the road would not be used to develop the Bradshaw property which is now happening. Can't stop development but there could 20 year-old contracts to review before a decision is made.

Lauren Nielson 124 W. Oakridge Dr., Farmington, UT - expressed concern about the water issues on her street increasing with the development of this property. There is a 30-foot easement on her

subdivision's plat that doesn't seem to line up correctly with the proposed development. Expressed concern that current residents who access the pond will be blocked unless an access is implemented on the subdivision plans.

Buck Lozier 908 W. 600 N. Farmington, UT – said the traffic on the bridge that goes over Farmington creek causes lights to shine into his home which concerns him because the problem would increase with more development. He stated that he has a green space right-of-way on his property that he is worried would be lost. He asked where people will be able to access the pond if the surrounding area develops. He asked if the bridge will be improved, as it only allows for single lane traffic at the moment. It will need work, which will disturb his property.

Augusta Howell 577 S. Grove Creek Lane, Farmington, UT - expressed concern about increased traffic as the traffic accessing Main Street is already too busy at certain times of day.

Gary Daniels 159 W. Oakridge Dr., Farmington UT - believes that there will need to be a light or intersection at the curve. He said that Andrew Hiller has been very good to contact him and show concern for his land, contrary to many other people's statements. He asked if the access really must be on Oakridge Drive, or can it be relocated. He stated that the Bradshaw's purchased property many years ago intending to develop with access at Oakridge and were denied by the City, so if now it apparently is being allowed to develop, it should be the Bradshaw' that get to do so.

Louise Madsen, 139 Oakridge Dr., Farmington, UT - said she has lived there for over 25 years and has used the access to the pond for many years. Many of her neighbors access the pond through the trail and would be impacted if the access were lost. She understands that people have the right to develop their property but feels that the water table needs to be considered. She stated that she has not been contacted by the developer which she would have liked because she has had a lot of questions about the water issues that have had to be worked through over the years. She said her sewer does not work very well anymore and has concern about adding more houses that will use sewer in the area.

Sherry, 192 W. 1100 N., Farmington, UT - said that the traffic coming off the hill onto Park Lane is too heavy and has no interest in seeing more traffic added at that access.

Connie Deianni closed the public hearing at 9:15 PM

Andrew Hiller addressed the water table issue, saying that a geotechnical survey was done on the property; digging holes to check water levels. The water table rises the further south you go on the property, so the land use options are not equal throughout the development. This will be factored in when homes are built. A dam safety study has also been performed. The County has earthquake proofed the dam. **David Petersen** said there are some seeps South of the subdivision but they are not within the subdivision boundaries.

Andrew Hiller said he feels for the concerned citizens whose lots would be affected by a change in pedestrian access to the pond or increased traffic through the trail, but that space is actually a City owned easement that exists to allow pipe access if necessary, so it is out of his hands to preserve.

Connie Deianni stated that a concern of the adjacent citizens seems to be how their water pressure will be effected by new development. **Greg Wall** asked if there is a requirement for a water network analysis in this case. **David Petersen** said that the city engineer has been contacted about this and said that the

water pressure of a new subdivision downhill from the citizens who report current issues should not affect homes on Oakridge Drive. If they do experience lower water pressure, the City's water superintendent can do a study of the homes and the water lines in the street to see what is happening.

Connie Deianni asked Andrew to provide details over the intended bridge over the river. **Andrew Hiller** said that they will build a new, 2 lane bridge near where the existing bridge is. They did not want to expand the existing 1 lane bridge because they desire to save the trees around it. The existing bridge will instead be used as a walking path to access the trail system. The exiting bridge will be maintained by the HOA.

Connie Deianni asked if the 20-25-year-old contract mentioned by Tom Owens, stating that some land in question would remain undeveloped, was known to Andrew or David. **Andrew Hiller** stated that because it was a county road at the time, the contract would have been with Davis County. **David Petersen** said that he was unaware of such a contract but he could research it. **Roger Child** said that it was his understanding that a development agreement could have happened, but a verbal or written agreement of the mentioned sort would not be binding for a City Council to do.

Greg Wall said there have been a lot of comments from citizens concerning traffic and asked if a traffic study had been done in regards to the development. **David Petersen** said that a traffic study usually is not performed at this stage but further along in the review process the traffic engineer can perform a study and provide a recommendation. He stated that he doesn't see an 11 lot subdivision creating much impact.

Connie Deianni said that Mrs. Hill mentioned a 2018 Planning Commission meeting where a rezone for a property next to the development was discussed and denied. She asked if this request is similar to that one. **Roger Child** stated he was present at that meeting and that the two applications are not comparable because the application last year proposed a high-density condominium project that was counter to the Farmington City Master Plan. This application is single family homes and aligns much more closely with the master plan.

Andrew Hiller came to the stand and said that the dam safety has been a concern. He stated that Davis County performs a quarterly dam study that is available to the public. Recent dam studies have shown the dam to be very sturdy.

The Planning Commission discussed the FEMA floodplains, landscape preservation, public notices, and other matters pertaining to this application. The applicant has met City Code and performed many of the required studies on this development. More will be done as this application progresses to final review.

MOTION:

Roger Child motioned that the Planning Commission recommend the City Council approve the zoning map amendment of 5.18 acres located at 90 W. 675 N. from A (Agricultural) to LR-F (Large Residential), along with findings 1-2. **Roger Child** also motioned that the Planning Commission recommend the City Council approve the Schematic Plan and Preliminary PUD Master Plan for the Preserve at Farmington Creek, subject to all applicable Farmington City ordinances and development standards along with findings 1-5 and conditions 1-7, adding an 8th condition that the City conduct a search for any past

agreements regarding the development of land in this area. Amy Shumway seconded the motion, which was unanimously approved.

Conditions:

1. The developer must follow all requirements of Chapter 30 Foothill Development Standards.
2. Public improvement drawings, including a grading and drainage plan, shall be reviewed and approved by the Farmington City Public Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water.
3. The applicant shall provide a maintenance plan acceptable to the city for the common areas, internal private streets. the wood bridge etc.
4. Davis County must dedicate 90 West as a public right of way.
5. The applicant must obtain a Davis County Flood Control Permit which shall accommodate, among other things, long term maintenance of the dam and access.
6. Issues related to the FEMA flood plain shall be resolved prior to consideration of the final plat, which includes but is not limited to CLOMR (Conditional Letter of Map Revision) by FEMA, which must be submitted prior to an application for preliminary plat.
7. Any outstanding issues raised by the DRC shall be addressed by Preliminary Plat
8. The City must research the possibility of a 20-30-year-old agreement regarding the development of this area

Findings for Approval:

Rezone:

1. The proposed rezone is consistent with the General Plan.
2. The proposed rezone is consistent with the surrounding properties.

Subdivision:

1. The proposed subdivision is consistent with the General Plan.
2. The PUD preserves the unique and beautiful environmentally sensitive area next to Farmington Creek, and an existing historic building found on site.
3. The proposed Schematic Plan submittal is consistent with all necessary requirements as found in the City's Subdivision Ordinance.
4. Access will be Improved at this location
5. Schematic Plan approval enables Davis County to take the necessary steps as they consider the flood control permit for this application. Safety for Farmington Citizens, and the protection of personal property is a top priority for the city

5. Jerry Preston\Elite Craft Homes – Applicant is requesting Final Plat approval for the Creekside Manor Subdivision consisting of 8 lots on approximately 5.78 acres of property located at about 950 West 500 South in the AE (Agriculture Estates) zone. (S-23-18)

David Petersen introduced the item. The improvement drawings are nearly finished and staff recommends approval.

Jerry Preston, 177 N. Main St. Farmington, UT – said that FEMA has accepted the CLOMR and he is waiting to get the letter back. Davis County Flood Control should have their approval to him very soon.

Shawn Beus asked if the required street right-of way vacation and trail easement have been addressed. **David Petersen** said that they are on track and being addressed.

The Planning Commission discussed CLOMR, LOMR, trail easements, the bridge across the creek, the detention basin, and other aspects of this applications that are in process or have been completed.

MOTION:

Shawn Beus motioned that the planning commission approve the Final Plat for the Creekside Manor Conservation Subdivision, subject to all Farmington City ordinances and development standards, along with conditions 1-4 and findings for approval 1-4 adding a correction to finding #4; changing the developer HAS conveyed a trail easement, to the developer WILL convey a trail easement. **Roger Child** seconded the motion, which was unanimously approved.

Conditions:

1. The developer shall meet and satisfy the requirements of the City's DRC (Development Review Committee). The applicant continues to work with the City and other agencies to address any outstanding issues remaining with the Final Plat and improvement drawings before it is recorded.
2. The applicant must obtain a CLOMR (Conditional Letter of Map Revision) as a prelude to removing building areas of the lots from the FEMA flood plain. It must be reviewed by the City Engineer and Storm Water Official
3. The applicant must design a detention basin acceptable to the City Engineer.
4. The developer shall obtain a Flood Control Permit from the Davis County Public Works department. The development abuts Farmington Creek and as required by inter-local agreement, the City must require that the developer obtain a flood control permit. Furthermore, such permits increase safety and mitigate loss of property, especially during times of flooding, for owners and residents.

Findings for Approval:

1. The final plat is consistent with the approved preliminary plat, schematic plan, the purposes of the AE zone, the City's General Plan, and the Master Transportation Plan (an element of the General Plan).
2. A portion of the subdivision is located within the FEMA floodplain, and by law, the City must follow FEMA standards.

3. A waiver of the required open space was approved by the City Council.
4. The developer will convey a trail easement acceptable to the City. The proposed portion of the Farmington Creek Trail is consistent with the City's Trails Master Plan.

Adjournment:

At 9:50 PM., Roger Child motioned to adjourn the meeting, Greg Wall second the motion.

A handwritten signature in dark ink, appearing to read 'Connie Deianni', is written over a horizontal line.

Connie Deianni

Planning Commission Chair